

Application No. 10/633,937

Attorney Docket No. 33472/1

Applicants' Interview Summary for Interview of June 22, 2007

## **EXHIBIT B**

-----Original Message-----

**From:** Halpern, Steven [mailto:SHalpern@McCarter.com]

**Sent:** Saturday, June 23, 2007 12:37 AM

**To:** Borissov, Igor

**Subject:** App. No. 10/633,937 for "Bidding for Energy Supply to Resellers and Their Customers"

Examiner Borissov,

Further to our discussion of this Friday afternoon, we have contacted the Applicant to share the substance of Friday's discussions. We hope to send you a discussion draft with our proposed revisions to the claim set no later than mid-afternoon Saturday. We will send this draft to your e-mail address as you requested. In the meantime, should you have any questions or comments, please do not hesitate to contact us. Thank you.

Also, pursuant to your request, we hereby authorize you to communicate with us in this matter via e-mail to [shalpern@mccarter.com](mailto:shalpern@mccarter.com)

Respectfully,  
Steven E. Halpern, Esq.  
Registration No. 51,769

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-----Original Message-----

**From:** Borissov, Igor [mailto:Igor.Borissov@USPTO.GOV]

**Sent:** Saturday, June 23, 2007 4:01 PM

**To:** Halpern, Steven

**Subject:** RE: App. No. 10/633,937 for "Bidding for Energy Supply to Resellers and Their Customers"

OK

Igor Borissov

-----Original Message-----

**From:** Halpern, Steven

**Sent:** Saturday, June 23, 2007 4:01 PM

**To:** 'igor.borissov@uspto.gov'

**Subject:** App. No. 10/633,937 for "Bidding for Energy Supply to Resellers and Their Customers"

**Importance:** High

Examiner Borissov,

Further to our telephone conversation of yesterday, attached to this e-mail is a Draft Mark-Up for Discussion Purposes. Pursuant to your request, the Draft is provided in a modifiable Microsoft Word format, and short marked-up deletions have been shown with both brackets and strikethrough. We have endeavored to address the issues you and I discussed, and we are optimistic that this Draft should be to your satisfaction.

As you and I previously discussed, we plan to file an Information Disclosure Statement (IDS) in this application for your consideration. Should you choose to issue an allowance and/or a final rejection before considering the IDS, we understand that you would thereafter consider the claims in view of the IDS by way of our filing a Request for Continuing Examination (RCE).

We authorize the charge of any fee to Deposit Account 503571, except, at present, we do not authorize payment of the issue fee. Also, pursuant to your request, this will confirm our authorization to communicate in this matter via e-mail to shalpern@mccarter.com

Please do not hesitate to contact us with any questions or comments. As you mentioned on the telephone, please kindly confirm receipt of this e-mail with the Draft attached.

Respectfully,

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**JUNE 23, 2007 DRAFT - FOR DISCUSSION PURPOSES ONLY**

The "Status Identifiers" below are for the convenience of the Examiner in reviewing this Draft. It is understood that this Draft, in the absence of a formal Examiner Amendment, does not have the legal effect by itself of amending and/or canceling claims.

1. (Currently Amended) A method for creating an automated bidding process among energy Providers ~~for the benefit of resellers or customers of resellers~~ in which a moderating computer collects bids from each Provider of a plurality of energy Providers, processes the bids and designates at least one Provider of the plurality of energy Providers to provide energy, consisting of electric power or natural gas, to at least one reseller~~[-or to]~~ for use by at least one customer of the at least one reseller, based on an economic choice in accordance with auction rules, wherein the method comprises:
  - a. in the moderating computer or an adjunct computer, transmitting at least a portion of historical energy usage data associated with the at least one customer of the at least one reseller to at least a portion of the plurality of energy Providers;
  - b. in the moderating computer, receiving bids to provide electric power or natural gas to the at least one reseller~~[-or to]~~ for use by the at least one customer of the at least one reseller, processing the bids in accordance with the auction

- rules to produce processed bid data, and storing the bids and the processed bid data in a data base of the moderating computer as first bidding data;
- c. in the moderating computer, transmitting at least a portion of the first bidding data to at least a portion of the plurality of energy Providers; and
- d. in the moderating computer, designating at least one Provider of the plurality of energy Providers to provide electric power or natural gas to the at least one reseller~~[, or to]~~ for use by the at least one customer, with each designated Provider to supply at least a portion of the electric power or natural gas needed ~~by the at least one reseller, or by the at least one customer[,]~~ during at least a portion of a specific future time interval.
2. (Currently Amended) A method of Claim 1 in which ~~the at least one reseller or~~ the at least one customer includes at least one end user.
3. (Original) A method of Claim 2 in which at least a first designated Provider is to supply at least a portion of the electric power or natural gas to be used by the at least one end user at at least one end-user facility during at least a portion of the specific future time interval.
4. (Currently Amended) A method of Claim 1 in which the moderating computer designates at least two Providers of the plurality of energy Providers to provide electric power or natural gas to the at least one reseller~~[, or to]~~ for use by the at least one customer, with each designated Provider to supply at least a portion of

the electric power or natural gas needed ~~by the at least one reseller, or~~ by the at least one customer<sup>[7]</sup> during the specific future time interval.

5. (Currently Amended) A method of Claim 1 in which the designated Providers, when their respective commitments are summed, are committed to supply 100% of the electric power or natural gas needed ~~by the at least one reseller or~~ by the at least one customer.
6. (Original) A method of Claim 1 in which the auction rules include bid formulation requirements specifying the required elements that must be reflected in the bid for the moderating computer to consider the bid valid.
7. (Currently Amended) A method of Claim 6 in which the bid formulation requirements specify that all bids indicate the quantity of electric power or natural gas each Provider will provide, at a specific price, to the at least one reseller ~~or to~~ for use by the at least one customer.
8. (Cancelled) A method of Claim 1 in which the moderating computer transmits historical energy usage data associated with the at least one reseller, or with the at least one customer, to at least a portion of the plurality of energy Providers.
9. (Original) A method of Claim 1 including, in the moderating computer, transmitting at least a portion of the first bidding data to the at least one reseller.

10. (Currently Amended) A method of Claim 1 comprising, in the moderating computer, receiving decision rules from an administrator associated with the moderating computer or from the at least one reseller, and processing at least a portion of the first bidding data and the decision rules, and designating at least a first designated Provider for the provision of electric power or natural gas to the at least one reseller ~~[or to]~~ for use by the at least one customer.
11. (Original) A method of Claim 1 including, in the moderating computer, notifying a first DISCO serving the at least one reseller, or serving the at least one customer, of the designation of at least a first designated Provider.
12. (Currently Amended) A method of Claim 1 in which the moderating computer transmits at least a portion of the first bidding data to at least a portion of the plurality of energy Providers subsequent to designating at least a first designated Provider to provide electric power or natural gas to the at least one reseller ~~[or to]~~ for use by the at least one customer.
13. (Currently Amended) A method of Claim 1 in which the bids to provide electric power or natural gas include bids to provide at least one standard unit or block of electric power or natural gas, ~~and including transmitting historical energy usage data associated with the at least one reseller, or with the at least one customer, to at least a portion of the plurality of energy Providers.~~



14. (Currently Amended) A method of Claim 13 in which the designated Providers, when their respective commitments are summed, are committed to supply 100% of the electric power or natural gas needed ~~by the at least one reseller or~~ by the at least one customer.
15. (Currently Amended) A method of Claim 13 in which the auction rules include bid formulation requirements specifying that all bids indicate the quantity of electric power or natural gas each Provider will provide, at a specific price, to the at least one reseller ~~[or to]~~ for use by the at least one customer.
16. (Currently Amended) A method of Claim 1 in which at least a first designated Provider is designated by the moderating computer to supply a fixed quantity of electric power or natural gas, ~~and including transmitting historical energy usage data associated with the at least one reseller, or with the at least one customer, to at least a portion of the plurality of energy Providers.~~
17. (Currently Amended) A method of Claim 16 in which at least a first default provider supplies at least a portion of the electric power or natural gas needed ~~by the at least one reseller, or by the at least one customer[;]~~ during the specific future time interval.

18. (Currently Amended) A method of Claim 1 in which the moderating computer, or a first DISCO serving the at least one reseller or serving the at least one customer, or an independent meter reading service entity, transmits ~~periodic usage reports associated with the at least one reseller, or with the at least one customer,~~ to at least a first designated Provider, data indicating at least a portion of the quantity of electric power or natural gas used during at least a portion of the specific future time interval by the at least one customer.
19. (Original) A method of Claim 1 in which at least one adjunct computer performs at least a portion of the processing and communications functions of the moderating computer.
20. (Currently Amended) A method for creating an automated bidding process among energy Providers ~~for the benefit of resellers or customers of resellers~~ in which a moderating computer collects bids from each Provider of a plurality of energy Providers, processes the bids and communicates with a first control computer, thereby enabling the first control computer to designate at least one Provider of the plurality of energy Providers to provide energy, consisting of electric power or natural gas, to at least one reseller~~[, or to]~~ for use by at least one customer of the at least one reseller, based on an economic choice in accordance with auction rules, wherein the method comprises:

- a. in the moderating computer or the first control computer or an adjunct computer, transmitting at least a portion of historical energy usage data associated with the at least one customer of the at least one reseller to at least a portion of the plurality of energy Providers;
- b. in the moderating computer, receiving bids to provide electric power or natural gas to the at least one reseller~~[, or to]~~ for use by the at least one customer of the at least one reseller, processing the bids in accordance with the auction rules to produce processed bid data, and storing the bids and the processed bid data in a data base of the moderating computer as first control computer data;
- c. in the moderating computer, transmitting at least a portion of the first control computer data to the first control computer;
- d. in the moderating computer or the first control computer, transmitting at least a portion of the first control computer data to at least a portion of the plurality of energy Providers; and
- e. in the first control computer, designating at least one Provider of the plurality of energy Providers to provide electric power or natural gas to the at least one reseller~~[, or to]~~ for use by the at least one customer, with each designated Provider to supply at least a portion of the electric power or natural gas needed ~~by the at least one reseller, or by the at least one customer[;]~~ during at least a portion of a specific future time interval.

21. (Currently Amended) A method of Claim 20 in which ~~the at least one reseller or~~ the at least one customer includes at least one end user.
22. (Original) A method of Claim 21 in which at least a first designated Provider is to supply at least a portion of the electric power or natural gas to be used by the at least one end user at at least one end-user facility during at least a portion of the specific future time interval.
23. (Currently Amended) A method of Claim 20 in which the first control computer designates at least two Providers of the plurality of energy Providers to provide electric power or natural gas to the at least one reseller~~[, or to]~~ for use by the at least one customer, with each designated Provider to supply at least a portion of the electric power or natural gas needed ~~by the at least one reseller, or~~ by the at least one customer~~[,]~~ during the specific future time interval.
24. (Currently Amended) A method of Claim 20 in which the designated Providers, when their respective commitments are summed, are committed to supply 100% of the electric power or natural gas needed ~~by the at least one reseller or~~ by the at least one customer.
25. (Currently Amended) A method of Claim 20 in which the auction rules include bid formulation requirements specifying that all bids indicate the quantity of electric

power or natural gas each Provider will provide, at a specific price, to the at least one reseller ~~[or to]~~ for use by the at least one customer.

26. (Cancelled) A method of Claim 20 in which the moderating computer or the first control computer transmits historical energy usage data associated with the at least one reseller, or with the at least one customer, to at least a portion of the plurality of energy Providers.
27. (Currently Amended) A method of Claim 20 comprising, in the first control computer, receiving decision rules from an administrator associated with the first control computer, or from the moderating computer, or from the at least one reseller, and processing at least a portion of the first control computer data and the decision rules, and designating at least a first designated Provider for the provision of electric power or natural gas to the at least one reseller ~~[or to]~~ for use by the at least one customer.
28. (Original) A method of Claim 20 including, in the moderating computer or the first control computer, notifying a first DISCO serving the at least one reseller, or serving the at least one customer, of the designation of at least a first designated Provider.
29. (Currently Amended) A method of Claim 20 in which the bids to provide electric power or natural gas include bids to provide at least one standard unit or block of

~~electric power or natural gas, and including transmitting historical energy usage data associated with the at least one reseller, or with the at least one customer, to at least a portion of the plurality of energy Providers.~~

30. (Currently Amended) A method of Claim 29 in which the designated Providers, when their respective commitments are summed, are committed to supply 100% of the electric power or natural gas needed ~~by the at least one reseller or~~ by the at least one customer.
31. (Currently Amended) A method of Claim 29 in which the auction rules include bid formulation requirements specifying that all bids indicate the quantity of electric power or natural gas each Provider will provide, at a specific price, to the at least one reseller ~~[or to]~~ for use by the at least one customer.
32. (Currently Amended) A method of Claim 20 in which the moderating computer, or the first control computer, or a first DISCO serving the at least one reseller or serving the at least one customer, or an independent meter reading service entity, transmits ~~periodic usage reports associated with the at least one reseller, or with the at least one customer,~~ to at least a first designated Provider, data indicating at least a portion of the quantity of electric power or natural gas used during at least a portion of the specific future time interval by the at least one customer.

33. (Currently Amended) A method of Claim 20 in which the first control computer is operated by the moderating computer, or by the at least one reseller, ~~or by at least one end user~~, or by a first DISCO serving the at least one reseller or serving the at least one customer.
34. (Currently Amended) A method of Claim 20 in which at least a portion of the processing and communications functions of at least one of the moderating computer ~~or~~ and the first control computer are performed by at least one adjunct computer.
35. (Original) A method of Claim 20 in which the first control computer is a computer adjunct to the moderating computer.
36. (Withdrawn) An energy bidding moderator for enabling designation of at least one Provider of a plurality of energy Providers for the provision of energy, consisting of electric power or natural gas, to at least one reseller, or to at least one customer of the at least one reseller, based on an economic choice in accordance with auction rules, comprising:
- a. a computer with a processor and a memory;
  - b. a receiver for receiving, from each Provider of a plurality of energy Providers, bids to provide electric power or natural gas to the at least one reseller or to the at least one customer of the at least one reseller;

- c. the processor being adapted for processing the bids in accordance with the auction rules to produce processed bid data, and storing the bids and the processed bid data in the memory as first bidding data;
  - d. a transmitter for transmitting at least a portion of the first bidding data to at least a portion of the plurality of energy Providers; and
  - e. the processor being adapted for designating at least one Provider of the plurality of energy Providers to provide electric power or natural gas to the at least one reseller, or to the at least one customer, with each designated Provider to supply at least a portion of the electric power or natural gas needed by the at least one reseller, or by the at least one customer, during at least a portion of a specific future time interval.
37. (Withdrawn) A moderator of Claim 36 including the processor being adapted for designating at least one Provider to provide electric power or natural gas to the at least one customer when the at least one customer includes at least one end user.
38. (Withdrawn) A moderator of Claim 37 including the processor being adapted for designating at least a first designated Provider to supply at least a portion of the electric power or natural gas to be used by the at least one end user at at least one end-user facility during at least a portion of the specific future time interval.



39. (Withdrawn) A moderator of Claim 36 including the processor being adapted for designating at least two Providers of the plurality of energy Providers to provide electric power or natural gas to the at least one reseller, or to the at least one customer, with each designated Provider to supply at least a portion of the electric power or natural gas needed by the at least one reseller, or by the at least one customer, during the specific future time interval.
40. (Withdrawn) A moderator of Claim 36 including the processor being adapted for designating the designated Providers who, when their respective commitments are summed, are committed to supply 100% of the electric power or natural gas needed by the at least one reseller or by the at least one customer.
41. (Withdrawn) A moderator of Claim 36 including the processor being adapted for including, as part of the auction rules, bid formulation requirements specifying that all bids indicate the quantity of electric power or natural gas each Provider will provide, at a specific price, to the at least one reseller or to the at least one customer.
42. (Withdrawn) A moderator of Claim 36 further including a receiver for receiving decision rules from an administrator associated with the moderator or from the at least one reseller, and the processor being adapted for processing the decision rules and the first bidding data and for designating at least a first designated

Provider for the provision of electric power or natural gas to the at least one reseller or to the at least one customer.

43. (Withdrawn) A moderator of Claim 36 including the processor being adapted for notifying a first DISCO serving the at least one reseller, or serving the at least one customer, of the designation of at least a first designated Provider.
44. (Withdrawn) A moderator of Claim 36 including a receiver for receiving and the processor being adapted for processing bids to provide at least one standard unit or block of electric power or natural gas.
45. (Withdrawn) A moderator of Claim 44 including the processor being adapted for designating the designated Providers who, when their respective commitments are summed, are committed to supply 100% of the electric power or natural gas needed by the at least one reseller or by the at least one customer.
46. (Withdrawn) A moderator of Claim 44 including the processor being adapted for including, as part of the auction rules, bid formulation requirements specifying that all bids indicate the quantity of electric power or natural gas each Provider will provide, at a specific price, to the at least one reseller or to the at least one customer.

47. (Withdrawn) A moderator of Claim 36 including a transmitter for transmitting periodic usage reports associated with the at least one reseller, or with the at least one customer, to at least a first designated Provider.
48. (Withdrawn) A moderator of Claim 36 including means for at least one adjunct computer to perform at least a portion of the processing and communications functions of the moderator.
49. (Currently Amended) A method for conducting an automated bidding process among a plurality of energy Providers ~~for the benefit of resellers or customers of resellers~~, based on an economic choice in accordance with auction rules, comprising:
- a. transmitting at least a portion of historical energy usage data associated with at least one customer of at least one reseller to at least a portion of the plurality of energy Providers;
  - b. collecting, from each Provider of a plurality of energy Providers, bids to provide energy, consisting of electric power or natural gas, to at least one reseller [or to] for use by the at least one customer of the at least one reseller;
  - c. processing the bids ~~that apply to the at least one reseller, or to the at least one customer,~~ in accordance with the auction rules;
  - d. distributing at least a portion of processed bid information to at least a portion of the plurality of energy Providers; and

e. designating, on the basis of the processed bid information, at least one Provider of the plurality of energy Providers to provide electric power or natural gas to the at least one reseller~~[, or to]~~ for use by the at least one customer, with each designated Provider to supply at least a portion of the electric power or natural gas needed ~~by the at least one reseller, or by the at least one customer[,]~~ during at least a portion of a specific future time interval.

50. (Currently Amended) A method of Claim 49 in which ~~the at least one reseller or~~ the at least one customer includes at least one end user.

51. (Original) A method of Claim 50 in which at least a first designated Provider is to supply at least a portion of the electric power or natural gas to be used by the at least one end user at at least one end-user facility during at least a portion of the specific future time interval.

52. (Currently Amended) A method of Claim 49 in which each of Steps ~~a.-d.~~ a.-e. is accomplished by means of computer processing.

53. (Currently Amended) A method of Claim 49 in which at least two Providers of the plurality of energy Providers are designated, on the basis of the processed bid information, to provide electric power or natural gas to the at least one reseller~~[, or to]~~ for use by the at least one customer, with each designated Provider to supply at least a portion of the electric power or natural gas needed ~~by the at~~

~~least one reseller, or~~ by the at least one customer[~~;~~] during the specific future time interval.

54. (Currently Amended) A method of Claim 49 in which the designated Providers, when their respective commitments are summed, are committed to supply 100% of the electric power or natural gas needed ~~by the at least one reseller or~~ by the at least one customer.
55. (Original) A method of Claim 49 in which the auction rules include bid formulation requirements specifying the required elements that must be reflected in the bid for the bid to be considered valid.
56. (Currently Amended) A method of Claim 55 in which the bid formulation requirements specify that all bids indicate the quantity of electric power or natural gas each Provider will provide, at a specific price, to the at least one reseller ~~or to~~ for use by the at least one customer.
57. (Original) A method of Claim 49 including distributing at least a portion of the auction rules to at least a portion of the plurality of energy Providers.

58. (Cancelled) A method of Claim 49 including distributing historical energy usage data associated with the at least one reseller, or with the at least one customer, to at least a portion of the plurality of energy Providers.
59. (Original) A method of Claim 49 including transmitting at least a portion of the processed bid information to the at least one reseller.
60. (Currently Amended) A method of Claim 49 including notifying a first DISCO serving the at least one reseller, or serving the at least one customer, of the designation of at least a first designated Provider to provide electric power or natural gas to the at least one reseller [~~or to~~] for use by the at least one customer.
61. (Currently Amended) A method of Claim 49 including distributing at least a portion of the processed bid information to at least a portion of the plurality of energy Providers subsequent to the designating of at least a first designated Provider to provide electric power or natural gas to the at least one reseller [~~or to~~] for use by the at least one customer.
62. (Currently Amended) A method of Claim 49 in which the bids to provide electric power or natural gas include bids to provide at least one standard unit or block of electric power or natural gas, ~~and including transmitting historical energy usage~~

~~data associated with the at least one reseller, or with the at least one customer,  
to at least a portion of the plurality of energy Providers.~~

63. (Currently Amended) A method of Claim 62 in which the designated Providers, when their respective commitments are summed, are committed to supply 100% of the electric power or natural gas needed by ~~the at least one reseller or~~ by the at least one customer.
64. (Currently Amended) A method of Claim 62 in which the auction rules include bid formulation requirements specifying that all bids indicate the quantity of electric power or natural gas each Provider will provide, at a specific price, to the at least one reseller ~~[or to]~~ for use by the at least one customer.
65. (Currently Amended) A method of Claim 49 including designating at least a first designated Provider to supply a fixed quantity of electric power or natural gas, ~~and including transmitting historical energy usage data associated with the at least one reseller, or with the at least one customer, to at least a portion of the plurality of energy Providers.~~
66. (Currently Amended) A method of Claim 65 in which at least a first default provider supplies at least a portion of the electric power or natural gas needed by

~~the at least one reseller, or by the at least one customer[.]~~ during the specific future time interval.

67. (Currently Amended) A method of Claim 49 including transmitting ~~periodic usage reports associated with the at least one reseller, or with the at least one customer,~~ to at least a first designated Provider, data indicating at least a portion of the quantity of electric power or natural gas used during at least a portion of the specific future time interval by the at least one customer.
68. (Currently Amended) A method for creating an automated bidding process among energy Providers for the benefit of end users in which a moderating computer collects bids from each Provider of a plurality of energy Providers, processes the bids and communicates with a first control computer, thereby enabling the first control computer to designate at least a first Provider of the plurality of energy Providers to provide energy, consisting of electric power or natural gas, to at least one end user, based on an economic choice in accordance with auction rules, wherein the method comprises:
- a. in the moderating computer or the first control computer or an adjunct computer, transmitting at least a portion of historical energy usage data associated with the at least one end user to at least a portion of the plurality of energy Providers;
  - b. in the moderating computer, receiving bids to provide electric power or natural gas to the at least one end user, processing the bids in accordance with the



auction rules to produce processed bid data, and storing the bids and the processed bid data in a data base of the moderating computer as first control computer data;

- c. in the moderating computer, transmitting at least a portion of the first control computer data to the first control computer;
- d. in the moderating computer or the first control computer, transmitting at least a portion of the first control computer data to at least a portion of the plurality of energy Providers; and
- e. in the first control computer, designating at least the first Provider of the plurality of energy Providers to provide electric power or natural gas to the at least one end user, with each designated Provider to supply at least a portion of the electric power or natural gas to be used by the at least one end user at at least one end-user facility during at least a portion of a specific future time interval.

69. (Original) A method of Claim 68 in which the designated Providers, when their respective commitments are summed, are committed to supply 100% of the electric power or natural gas needed by the at least one end user.

70. (Original) A method of Claim 68 in which the auction rules include bid formulation requirements specifying the required elements that must be reflected in the bid for the moderating computer to consider the bid valid.

71. (Original) A method of Claim 70 in which the bid formulation requirements specify that all bids indicate the quantity of electric power or natural gas each Provider will provide, at a specific price, to the at least one end user.
72. (Original) A method of Claim 68 in which the moderating computer transmits at least a portion of the auction rules to at least a portion of the plurality of energy Providers.
73. (Cancelled) A method of Claim 68 in which the moderating computer or the first control computer transmits historical energy usage data associated with the at least one end user to at least a portion of the plurality of energy Providers.
74. (Original) A method of Claim 68 including, in the moderating computer or the first control computer, transmitting at least a portion of the first control computer data to the at least one end user.
75. (Original) A method of Claim 68 comprising, in the first control computer, receiving decision rules from an administrator associated with the first control computer, or from the moderating computer, or from the at least one end user, processing at least a portion of the first control computer data and the decision rules, and designating at least the first Provider for the provision of electric power or natural gas to the at least one end user.

76. (Original) A method of Claim 68 including, in the moderating computer or the first control computer, notifying a first DISCO of at least the first Provider's designation to provide electric power or natural gas to the at least one end user.
77. (Original) A method of Claim 68 in which the moderating computer or the first control computer transmits at least a portion of the first control computer data to at least a portion of the plurality of energy Providers subsequent to the first control computer designating at least the first Provider to provide electric power or natural gas to the at least one end user.
78. (Currently Amended) A method of Claim 68 in which the bids to provide electric power or natural gas include bids to provide at least one standard unit or block of electric power or natural gas to the at least one end user, ~~and including transmitting historical energy usage data associated with the at least one end user to at least a portion of the plurality of energy Providers.~~
79. (Original) A method of Claim 78 in which the designated Providers, when their respective commitments are summed, are committed to supply 100% of the electric power or natural gas needed by the at least one end user.

80. (Original) A method of Claim 78 in which the auction rules specify that all bids indicate the quantity of standard units or blocks of electric power or natural gas each Provider will provide, at a specific price, to the at least one end user.
81. (Currently Amended) A method of Claim 68 in which at least a first designated Provider is designated by the first control computer to supply a fixed quantity of electric power or natural gas, ~~and including transmitting historical energy usage data associated with the at least one end user to at least a portion of the plurality of energy providers.~~
82. (Previously Amended) A method of Claim 81 in which at least a first default provider supplies at least a portion of the electric power or natural gas needed by the at least one end user during the specific future time interval.
83. (Original) A method of Claim 68 in which the first control computer is operated by the moderating computer, or by the at least one end user, or by a reseller to the at least one end user, or by a first DISCO serving the at least one end user.
84. (Original) A method of Claim 68 in which the first control computer is a computer adjunct to the moderating computer.

85. (Currently Amended) A method of Claim 68 in which at least a portion of the processing and communications functions of at least one of the moderating computer ~~or~~ and the first control computer are performed by at least one adjunct computer.
86. (Currently Amended) A method for conducting an automated bidding process among a plurality of energy Providers for the benefit of Buyers, based on an economic choice in accordance with auction rules, comprising:
- a. receiving, from at least one Buyer, at least one request for future energy supply, consisting of electric power or natural gas;
  - b. processing the at least one request and distributing at least a portion of at least one processed request to a plurality of energy Providers;
  - c. transmitting at least a portion of historical energy usage data associated with the at least one Buyer to at least a portion of the plurality of energy Providers;
  - d. receiving, from at least two Providers of the plurality of energy Providers, bids to provide electric power or natural gas to the at least one Buyer;
  - e. processing the bids in accordance with the auction rules;
  - f. distributing at least a portion of processed bid information to at least a portion of the plurality of energy Providers; and
  - g. designating, on the basis of the processed bid information, at least one Provider of the plurality of energy Providers to provide electric power or natural gas to the at least one Buyer, with each designated Provider to supply

at least a portion of the electric power or natural gas needed by the at least one Buyer during at least a portion of a specific future time interval.

87. (Currently Amended) A method of Claim 86 in which each of Steps ~~a.-f.~~ a.-g. is accomplished by means of computer processing.
88. (Original) A method of Claim 86 in which at least two Providers of the plurality of energy Providers are designated, on the basis of the processed bid information, to provide electric power or natural gas to the at least one Buyer, with each designated Provider to supply at least a portion of the electric power or natural gas needed by the at least one Buyer during the specific future time interval.
89. (Original) A method of Claim 86 in which the designated Providers, when their respective commitments are summed, are committed to supply 100% of the electric power or natural gas needed by the at least one Buyer.
90. (Original) A method of Claim 86 in which, as part of the auction rules, bid formulation requirements specify that all bids indicate the quantity of electric power or natural gas each Provider will provide, at a specific price, to the at least one Buyer.

91. (Original) A method of Claim 86 including notifying at least one DISCO serving the at least one Buyer of the designation of at least a first designated Provider to provide electric power or natural gas to the at least one Buyer.
92. (Original) A method of Claim 86 including distributing at least a portion of the processed bid information to at least a portion of the plurality of energy Providers subsequent to the designating of at least a first designated Provider to provide electric power or natural gas to the at least one Buyer.
93. (Currently Amended) A method of Claim 86 including transmitting, ~~periodic usage reports associated with the at least one Buyer~~ to at least a first designated Provider, data indicating at least a portion of the quantity of electric power or natural gas used during at least a portion of the specific future time interval by the at least one Buyer.
94. (Original) A method of Claim 86 including distributing at least a portion of the at least one processed request to at least a portion of the plurality of energy Providers by posting the at least a portion of the at least one processed request on a website or computer bulletin board accessible to the Providers.
95. (Original) A method of Claim 86 including receiving bids from the at least two Providers by means of a software defined template.

96. (Cancelled) A method of Claim 86 including transmitting historical energy usage data associated with the at least one Buyer to at least a portion of the plurality of energy Providers



-----Original Message-----

From: Borissov, Igor [<mailto:Igor.Borissov@USPTO.GOV>]

Sent: Saturday, June 23, 2007 7:04 PM

To: Halpern, Steven

Subject: 10 633 937 Proposed Claims

Mr. Halpern,

Just a few notes:

Where "the adjunct computer" came from?! (cl. 1, 20, 68, ...)

We have to use "at least one of" instead just "or";

When we use [[the]], we should not cross the content inside. see: cl 4, customer[,]

Instead [the] should be [[the]]

cancelled claims should not have any text:

8. (Cancelled)

Please, correct ASAP.

Igor Borissov  
Examiner

-----Original Message-----

**From:** Halpern, Steven  
**Sent:** Sunday, June 24, 2007 12:33 AM  
**To:** 'Borissov, Igor'  
**Subject:** RE: 10 633 937 Proposed Claims  
**Importance:** High



6532630\_1.DOC  
(88 KB)

Examiner Borissov,

Thank you for considering the proposed claims. Attached is a Second Draft Mark-Up for Discussion Purposes.

Regarding the first and second notes in your e-mail below, we have made the following revisions:

Claim 1 Step A - we have removed "or the adjunct computer".

Claim 20 Step A - we have changed "in the moderating computer or the first control computer or an adjunct computer" to "in at least one of the moderating computer and the first control computer".

Claim 20 Step D - we have changed "in the moderating computer or the first control computer" to "in at least one of the moderating computer and the first control computer".

Claim 68 Step A - we have changed "in the moderating computer or the first control computer or an adjunct computer" to "in at least one of the moderating computer and the first control computer".

Claim 68 Step D - we have changed "in the moderating computer or the first control computer" to "in at least one of the moderating computer and the first control computer".

Regarding the third and fourth notes in your e-mail below, we have made the revisions concerning the double-brackets and removed the cross within the brackets.

Regarding the fifth note in your e-mail below, we have removed the text of the claims identified as being cancelled.

Also, we have cancelled the withdrawn, unelected claims (Claims 36-48). The Applicant respectfully reserves the right to pursue Claims 36-48 in a continuing application, e.g., a divisional application, etc.

Thank you again. If you have any questions or comments, please do not hesitate to contact us. Please kindly confirm receipt of this e-mail.

Respectfully,

Steven E. Halpern, Esq.  
Registration No. 51,769

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## **SECOND DRAFT FOR DISCUSSION PURPOSES ONLY (JUNE 24, 2007)**

The "Status Identifiers" below are for the convenience of the Examiner in reviewing this Second Draft. It is understood that this Second Draft, in the absence of a formal Examiner Amendment, does not have the legal effect by itself of amending and/or canceling claims. The mark-ups below are relative to the form of the claims as such existed prior to the June 23, 2007 Draft for Discussion Purposes Only.

1. (Currently Amended) A method for creating an automated bidding process among energy Providers ~~for the benefit of resellers or customers of resellers~~ in which a moderating computer collects bids from each Provider of a plurality of energy Providers, processes the bids and designates at least one Provider of the plurality of energy Providers to provide energy, consisting of electric power or natural gas, to at least one reseller ~~[[, or to]]~~ for use by at least one customer of the at least one reseller, based on an economic choice in accordance with auction rules, wherein the method comprises:
  - a. in the moderating computer, transmitting at least a portion of historical energy usage data associated with the at least one customer of the at least one reseller to at least a portion of the plurality of energy Providers;
  - b. in the moderating computer, receiving bids to provide electric power or natural gas to the at least one reseller ~~[[, or to]]~~ for use by the at least one customer of the at least one reseller, processing the bids in accordance with the auction

- rules to produce processed bid data, and storing the bids and the processed bid data in a data base of the moderating computer as first bidding data;
- c. in the moderating computer, transmitting at least a portion of the first bidding data to at least a portion of the plurality of energy Providers; and
- d. in the moderating computer, designating at least one Provider of the plurality of energy Providers to provide electric power or natural gas to the at least one reseller ~~[[, or to]]~~ for use by the at least one customer, with each designated Provider to supply at least a portion of the electric power or natural gas needed ~~by the at least one reseller, or~~ by the at least one customer ~~[[,]]~~ during at least a portion of a specific future time interval.
2. (Currently Amended) A method of Claim 1 in which ~~the at least one reseller or~~ the at least one customer includes at least one end user.
3. (Original) A method of Claim 2 in which at least a first designated Provider is to supply at least a portion of the electric power or natural gas to be used by the at least one end user at at least one end-user facility during at least a portion of the specific future time interval.
4. (Currently Amended) A method of Claim 1 in which the moderating computer designates at least two Providers of the plurality of energy Providers to provide electric power or natural gas to the at least one reseller ~~[[, or to]]~~ for use by the at least one customer, with each designated Provider to supply at least a portion

of the electric power or natural gas needed ~~by the at least one reseller, or~~ by the at least one customer ~~[[,]]~~ during the specific future time interval.

5. (Currently Amended) A method of Claim 1 in which the designated Providers, when their respective commitments are summed, are committed to supply 100% of the electric power or natural gas needed ~~by the at least one reseller or~~ by the at least one customer.
6. (Original) A method of Claim 1 in which the auction rules include bid formulation requirements specifying the required elements that must be reflected in the bid for the moderating computer to consider the bid valid.
7. (Currently Amended) A method of Claim 6 in which the bid formulation requirements specify that all bids indicate the quantity of electric power or natural gas each Provider will provide, at a specific price, to the at least one reseller ~~[[or to]]~~ for use by the at least one customer.
8. (Cancelled)
9. (Original) A method of Claim 1 including, in the moderating computer, transmitting at least a portion of the first bidding data to the at least one reseller.

10. (Currently Amended) A method of Claim 1 comprising, in the moderating computer, receiving decision rules from an administrator associated with the moderating computer or from the at least one reseller, and processing at least a portion of the first bidding data and the decision rules, and designating at least a first designated Provider for the provision of electric power or natural gas to the at least one reseller ~~[[or to]]~~ for use by the at least one customer.
11. (Original) A method of Claim 1 including, in the moderating computer, notifying a first DISCO serving the at least one reseller, or serving the at least one customer, of the designation of at least a first designated Provider.
12. (Currently Amended) A method of Claim 1 in which the moderating computer transmits at least a portion of the first bidding data to at least a portion of the plurality of energy Providers subsequent to designating at least a first designated Provider to provide electric power or natural gas to the at least one reseller ~~[[or to]]~~ for use by the at least one customer.
13. (Currently Amended) A method of Claim 1 in which the bids to provide electric power or natural gas include bids to provide at least one standard unit or block of electric power or natural gas, ~~and including transmitting historical energy usage data associated with the at least one reseller, or with the at least one customer, to at least a portion of the plurality of energy Providers.~~

14. (Currently Amended) A method of Claim 13 in which the designated Providers, when their respective commitments are summed, are committed to supply 100% of the electric power or natural gas needed ~~by the at least one reseller or~~ by the at least one customer.
15. (Currently Amended) A method of Claim 13 in which the auction rules include bid formulation requirements specifying that all bids indicate the quantity of electric power or natural gas each Provider will provide, at a specific price, to the at least one reseller ~~[[or to]]~~ for use by the at least one customer.
16. (Currently Amended) A method of Claim 1 in which at least a first designated Provider is designated by the moderating computer to supply a fixed quantity of electric power or natural gas, ~~and including transmitting historical energy usage data associated with the at least one reseller, or with the at least one customer, to at least a portion of the plurality of energy Providers.~~
17. (Currently Amended) A method of Claim 16 in which at least a first default provider supplies at least a portion of the electric power or natural gas needed ~~by the at least one reseller, or~~ by the at least one customer ~~[[,]]~~ during the specific future time interval.
18. (Currently Amended) A method of Claim 1 in which the moderating computer, or a first DISCO serving the at least one reseller or serving the at least one

customer, or an independent meter reading service entity, transmits ~~periodic usage reports associated with the at least one reseller, or with the at least one customer,~~ to at least a first designated Provider, data indicating at least a portion of the quantity of electric power or natural gas used during at least a portion of the specific future time interval by the at least one customer.

19. (Original) A method of Claim 1 in which at least one adjunct computer performs at least a portion of the processing and communications functions of the moderating computer.
20. (Currently Amended) A method for creating an automated bidding process among energy Providers ~~for the benefit of resellers or customers of resellers~~ in which a moderating computer collects bids from each Provider of a plurality of energy Providers, processes the bids and communicates with a first control computer, thereby enabling the first control computer to designate at least one Provider of the plurality of energy Providers to provide energy, consisting of electric power or natural gas, to at least one reseller ~~[[, or to]]~~ for use by at least one customer of the at least one reseller, based on an economic choice in accordance with auction rules, wherein the method comprises:
  - a. in at least one of the moderating computer and the first control computer, transmitting at least a portion of historical energy usage data associated with



the at least one customer of the at least one reseller to at least a portion of the plurality of energy Providers;

- b. in the moderating computer, receiving bids to provide electric power or natural gas to the at least one reseller ~~[[, or to]]~~ for use by the at least one customer of the at least one reseller, processing the bids in accordance with the auction rules to produce processed bid data, and storing the bids and the processed bid data in a data base of the moderating computer as first control computer data;
- c. in the moderating computer, transmitting at least a portion of the first control computer data to the first control computer;
- d. in at least one of the moderating computer ~~[[or]]~~ and the first control computer, transmitting at least a portion of the first control computer data to at least a portion of the plurality of energy Providers; and
- e. in the first control computer, designating at least one Provider of the plurality of energy Providers to provide electric power or natural gas to the at least one reseller ~~[[, or to]]~~ for use by the at least one customer, with each designated Provider to supply at least a portion of the electric power or natural gas needed ~~by the at least one reseller, or~~ by the at least one customer ~~[[,]]~~ during at least a portion of a specific future time interval.

21. (Currently Amended) A method of Claim 20 in which ~~the at least one reseller or~~ the at least one customer includes at least one end user.

22. (Original) A method of Claim 21 in which at least a first designated Provider is to supply at least a portion of the electric power or natural gas to be used by the at least one end user at at least one end-user facility during at least a portion of the specific future time interval.
23. (Currently Amended) A method of Claim 20 in which the first control computer designates at least two Providers of the plurality of energy Providers to provide electric power or natural gas to the at least one reseller ~~[[, or to]]~~ for use by the at least one customer, with each designated Provider to supply at least a portion of the electric power or natural gas needed ~~by the at least one reseller, or by the~~ at least one customer ~~[[,]]~~ during the specific future time interval.
24. (Currently Amended) A method of Claim 20 in which the designated Providers, when their respective commitments are summed, are committed to supply 100% of the electric power or natural gas needed ~~by the at least one reseller or by the~~ at least one customer.
25. (Currently Amended) A method of Claim 20 in which the auction rules include bid formulation requirements specifying that all bids indicate the quantity of electric power or natural gas each Provider will provide, at a specific price, to the at least one reseller ~~[[or to]]~~ for use by the at least one customer.

26. (Cancelled)
27. (Currently Amended) A method of Claim 20 comprising, in the first control computer, receiving decision rules from an administrator associated with the first control computer, or from the moderating computer, or from the at least one reseller, and processing at least a portion of the first control computer data and the decision rules, and designating at least a first designated Provider for the provision of electric power or natural gas to the at least one reseller ~~[[or to]]~~ for use by the at least one customer.
28. (Original) A method of Claim 20 including, in the moderating computer or the first control computer, notifying a first DISCO serving the at least one reseller, or serving the at least one customer, of the designation of at least a first designated Provider.
29. (Currently Amended) A method of Claim 20 in which the bids to provide electric power or natural gas include bids to provide at least one standard unit or block of electric power or natural gas, ~~and including transmitting historical energy usage data associated with the at least one reseller, or with the at least one customer, to at least a portion of the plurality of energy Providers.~~
30. (Currently Amended) A method of Claim 29 in which the designated Providers, when their respective commitments are summed, are committed to supply 100%

of the electric power or natural gas needed ~~by the at least one reseller or~~ by the at least one customer.

31. (Currently Amended) A method of Claim 29 in which the auction rules include bid formulation requirements specifying that all bids indicate the quantity of electric power or natural gas each Provider will provide, at a specific price, to the at least one reseller ~~[[or to]]~~ for use by the at least one customer.
32. (Currently Amended) A method of Claim 20 in which the moderating computer, or the first control computer, or a first DISCO serving the at least one reseller or serving the at least one customer, or an independent meter reading service entity, transmits ~~periodic usage reports associated with the at least one reseller, or with the at least one customer,~~ to at least a first designated Provider, data indicating at least a portion of the quantity of electric power or natural gas used during at least a portion of the specific future time interval by the at least one customer.
33. (Currently Amended) A method of Claim 20 in which the first control computer is operated by the moderating computer, or by the at least one reseller, ~~or by at least one end user,~~ or by a first DISCO serving the at least one reseller or serving the at least one customer.

34. (Currently Amended) A method of Claim 20 in which at least a portion of the processing and communications functions of at least one of the moderating computer ~~[[or]]~~ and the first control computer are performed by at least one adjunct computer.
35. (Original) A method of Claim 20 in which the first control computer is a computer adjunct to the moderating computer.

Claims 36-48 (Cancelled)

49. (Currently Amended) A method for conducting an automated bidding process among a plurality of energy Providers ~~for the benefit of resellers or customers of resellers~~, based on an economic choice in accordance with auction rules, comprising:
- a. transmitting at least a portion of historical energy usage data associated with at least one customer of at least one reseller to at least a portion of the plurality of energy Providers;
  - b. collecting, from each Provider of a plurality of energy Providers, bids to provide energy, consisting of electric power or natural gas, to at least one reseller ~~[[or to]]~~ for use by the at least one customer of the at least one reseller;
  - c. processing the bids ~~that apply to the at least one reseller, or to the at least one customer,~~ in accordance with the auction rules;

- d. distributing at least a portion of processed bid information to at least a portion of the plurality of energy Providers; and
  - e. designating, on the basis of the processed bid information, at least one Provider of the plurality of energy Providers to provide electric power or natural gas to the at least one reseller ~~[[, or to]]~~ for use by the at least one customer, with each designated Provider to supply at least a portion of the electric power or natural gas ~~needed by the at least one reseller, or by the at least one customer~~ needed by the at least one customer ~~[[,]]~~ during at least a portion of a specific future time interval.
50. (Currently Amended) A method of Claim 49 in which ~~the at least one reseller or~~ the at least one customer includes at least one end user.
51. (Original) A method of Claim 50 in which at least a first designated Provider is to supply at least a portion of the electric power or natural gas to be used by the at least one end user at at least one end-user facility during at least a portion of the specific future time interval.
52. (Currently Amended) A method of Claim 49 in which each of Steps ~~[[a.-d.]]~~ a.-e. is accomplished by means of computer processing.
53. (Currently Amended) A method of Claim 49 in which at least two Providers of the plurality of energy Providers are designated, on the basis of the processed bid information, to provide electric power or natural gas to the at least one reseller ~~[[,~~

or to]] for use by the at least one customer, with each designated Provider to supply at least a portion of the electric power or natural gas needed ~~by the at least one reseller, or~~ by the at least one customer [[,]] during the specific future time interval.

54. (Currently Amended) A method of Claim 49 in which the designated Providers, when their respective commitments are summed, are committed to supply 100% of the electric power or natural gas needed ~~by the at least one reseller or~~ by the at least one customer.
55. (Original) A method of Claim 49 in which the auction rules include bid formulation requirements specifying the required elements that must be reflected in the bid for the bid to be considered valid.
56. (Currently Amended) A method of Claim 55 in which the bid formulation requirements specify that all bids indicate the quantity of electric power or natural gas each Provider will provide, at a specific price, to the at least one reseller [[or to]] for use by the at least one customer.
57. (Original) A method of Claim 49 including distributing at least a portion of the auction rules to at least a portion of the plurality of energy Providers.
58. (Cancelled)

59. (Original) A method of Claim 49 including transmitting at least a portion of the processed bid information to the at least one reseller.
60. (Currently Amended) A method of Claim 49 including notifying a first DISCO serving the at least one reseller, or serving the at least one customer, of the designation of at least a first designated Provider to provide electric power or natural gas to the at least one reseller ~~[[or to]]~~ for use by the at least one customer.
61. (Currently Amended) A method of Claim 49 including distributing at least a portion of the processed bid information to at least a portion of the plurality of energy Providers subsequent to the designating of at least a first designated Provider to provide electric power or natural gas to the at least one reseller ~~[[or to]]~~ for use by the at least one customer.
62. (Currently Amended) A method of Claim 49 in which the bids to provide electric power or natural gas include bids to provide at least one standard unit or block of electric power or natural gas, ~~and including transmitting historical energy usage data associated with the at least one reseller, or with the at least one customer, to at least a portion of the plurality of energy Providers.~~



63. (Currently Amended) A method of Claim 62 in which the designated Providers, when their respective commitments are summed, are committed to supply 100% of the electric power or natural gas needed ~~by the at least one reseller or~~ by the at least one customer.
64. (Currently Amended) A method of Claim 62 in which the auction rules include bid formulation requirements specifying that all bids indicate the quantity of electric power or natural gas each Provider will provide, at a specific price, to the at least one reseller ~~[[or to]]~~ for use by the at least one customer.
65. (Currently Amended) A method of Claim 49 including designating at least a first designated Provider to supply a fixed quantity of electric power or natural gas; ~~and including transmitting historical energy usage data associated with the at least one reseller, or with the at least one customer, to at least a portion of the plurality of energy Providers.~~
66. (Currently Amended) A method of Claim 65 in which at least a first default provider supplies at least a portion of the electric power or natural gas needed ~~by the at least one reseller, or~~ by the at least one customer ~~[[,]]~~ during the specific future time interval.
67. (Currently Amended) A method of Claim 49 including transmitting ~~periodic usage reports associated with the at least one reseller, or with the at least one~~

~~customer~~, to at least a first designated Provider, data indicating at least a portion of the quantity of electric power or natural gas used during at least a portion of the specific future time interval by the at least one customer.

68. (Currently Amended) A method for creating an automated bidding process among energy Providers for the benefit of end users in which a moderating computer collects bids from each Provider of a plurality of energy Providers, processes the bids and communicates with a first control computer, thereby enabling the first control computer to designate at least a first Provider of the plurality of energy Providers, to provide energy, consisting of electric power or natural gas, to at least one end user, based on an economic choice in accordance with auction rules, wherein the method comprises:
- a. in at least one of the moderating computer and the first control computer, transmitting at least a portion of historical energy usage data associated with the at least one end user to at least a portion of the plurality of energy Providers;
  - b. in the moderating computer, receiving bids to provide electric power or natural gas to the at least one end user, processing the bids in accordance with the auction rules to produce processed bid data, and storing the bids and the processed bid data in a data base of the moderating computer as first control computer data;
  - c. in the moderating computer, transmitting at least a portion of the first control computer data to the first control computer;

- d. in at least one of the moderating computer ~~[[or]]~~ and the first control computer, transmitting at least a portion of the first control computer data to at least a portion of the plurality of energy Providers; and
  - e. in the first control computer, designating at least the first Provider of the plurality of energy Providers to provide electric power or natural gas to the at least one end user, with each designated Provider to supply at least a portion of the electric power or natural gas to be used by the at least one end user at at least one end-user facility during at least a portion of a specific future time interval.
69. (Original) A method of Claim 68 in which the designated Providers, when their respective commitments are summed, are committed to supply 100% of the electric power or natural gas needed by the at least one end user.
70. (Original) A method of Claim 68 in which the auction rules include bid formulation requirements specifying the required elements that must be reflected in the bid for the moderating computer to consider the bid valid.
71. (Original) A method of Claim 70 in which the bid formulation requirements specify that all bids indicate the quantity of electric power or natural gas each Provider will provide, at a specific price, to the at least one end user.

72. (Original) A method of Claim 68 in which the moderating computer transmits at least a portion of the auction rules to at least a portion of the plurality of energy Providers.
73. (Cancelled)
74. (Original) A method of Claim 68 including, in the moderating computer or the first control computer, transmitting at least a portion of the first control computer data to the at least one end user.
75. (Original) A method of Claim 68 comprising, in the first control computer, receiving decision rules from an administrator associated with the first control computer, or from the moderating computer, or from the at least one end user, processing at least a portion of the first control computer data and the decision rules, and designating at least the first Provider for the provision of electric power or natural gas to the at least one end user.
76. (Original) A method of Claim 68 including, in the moderating computer or the first control computer, notifying a first DISCO of at least the first Provider's designation to provide electric power or natural gas to the at least one end user.
77. (Original) A method of Claim 68 in which the moderating computer or the first control computer transmits at least a portion of the first control computer data to

at least a portion of the plurality of energy Providers subsequent to the first control computer designating at least the first Provider to provide electric power or natural gas to the at least one end user.

78. (Currently Amended) A method of Claim 68 in which the bids to provide electric power or natural gas include bids to provide at least one standard unit or block of electric power or natural gas to the at least one end user, ~~and including transmitting historical energy usage data associated with the at least one end user to at least a portion of the plurality of energy Providers.~~
79. (Original) A method of Claim 78 in which the designated Providers, when their respective commitments are summed, are committed to supply 100% of the electric power or natural gas needed by the at least one end user.
80. (Original) A method of Claim 78 in which the auction rules specify that all bids indicate the quantity of standard units or blocks of electric power or natural gas each Provider will provide, at a specific price, to the at least one end user.
81. (Currently Amended) A method of Claim 68 in which at least a first designated Provider is designated by the first control computer to supply a fixed quantity of electric power or natural gas, ~~and including transmitting historical energy usage~~

~~data associated with the at least one end user to at least a portion of the plurality of energy providers.~~

82. (Previously Amended) A method of Claim 81 in which at least a first default provider supplies at least a portion of the electric power or natural gas needed by the at least one end user during the specific future time interval.
83. (Original) A method of Claim 68 in which the first control computer is operated by the moderating computer, or by the at least one end user, or by a reseller to the at least one end user, or by a first DISCO serving the at least one end user.
84. (Original) A method of Claim 68 in which the first control computer is a computer adjunct to the moderating computer.
85. (Currently Amended) A method of Claim 68 in which at least a portion of the processing and communications functions of at least one of the moderating computer ~~[[or]]~~ and the first control computer are performed by at least one adjunct computer.
86. (Currently Amended) A method for conducting an automated bidding process among a plurality of energy Providers for the benefit of Buyers, based on an economic choice in accordance with auction rules, comprising:

- a. receiving, from at least one Buyer, at least one request for future energy supply, consisting of electric power or natural gas;
- b. processing the at least one request and distributing at least a portion of at least one processed request to a plurality of energy Providers;
- c. transmitting at least a portion of historical energy usage data associated with the at least one Buyer to at least a portion of the plurality of energy Providers;
- d. receiving, from at least two Providers of the plurality of energy Providers, bids to provide electric power or natural gas to the at least one Buyer;
- e. processing the bids in accordance with the auction rules;
- f. distributing at least a portion of processed bid information to at least a portion of the plurality of energy Providers; and
- g. designating, on the basis of the processed bid information, at least one Provider of the plurality of energy Providers to provide electric power or natural gas to the at least one Buyer, with each designated Provider to supply at least a portion of the electric power or natural gas needed by the at least one Buyer during at least a portion of a specific future time interval.

87. (Currently Amended) A method of Claim 86 in which each of Steps [[a.-f.]] a.-g. is accomplished by means of computer processing.

88. (Original) A method of Claim 86 in which at least two Providers of the plurality of energy Providers are designated, on the basis of the processed bid information, to provide electric power or natural gas to the at least one Buyer, with each

designated Provider to supply at least a portion of the electric power or natural gas needed by the at least one Buyer during the specific future time interval.

89. (Original) A method of Claim 86 in which the designated Providers, when their respective commitments are summed, are committed to supply 100% of the electric power or natural gas needed by the at least one Buyer.
90. (Original) A method of Claim 86 in which, as part of the auction rules, bid formulation requirements specify that all bids indicate the quantity of electric power or natural gas each Provider will provide, at a specific price, to the at least one Buyer.
91. (Original) A method of Claim 86 including notifying at least one DISCO serving the at least one Buyer of the designation of at least a first designated Provider to provide electric power or natural gas to the at least one Buyer.
92. (Original) A method of Claim 86 including distributing at least a portion of the processed bid information to at least a portion of the plurality of energy Providers subsequent to the designating of at least a first designated Provider to provide electric power or natural gas to the at least one Buyer.
93. (Currently Amended) A method of Claim 86 including transmitting, ~~periodic usage reports associated with the at least one Buyer~~ to at least a first designated



Provider, data indicating at least a portion of the quantity of electric power or natural gas used during at least a portion of the specific future time interval by the at least one Buyer.

94. (Original) A method of Claim 86 including distributing at least a portion of the at least one processed request to at least a portion of the plurality of energy Providers by posting the at least a portion of the at least one processed request on a website or computer bulletin board accessible to the Providers.
95. (Original) A method of Claim 86 including receiving bids from the at least two Providers by means of a software defined template.
96. (Cancelled)